

MEMORANDUM

TO: Council, SSC and AP Members

FROM: Chris Oliver
Acting Executive Director

DATE: January 28, 2002

SUBJECT: F₄₀ Independent Review

ESTIMATED TIME 8 HOURS (for all D-1 items)
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ACTION REQUIRED

Review and approve plan for independent review.

BACKGROUND

In October, in conjunction with your approval of an RPA package to address SSL issues, you also approved a motion to conduct an independent review of our basic F40 harvest policy relative to National Standards. The intent of this review would be to determine whether changes need to be made to account for ecosystem needs. I have been working with Dr. Rich Marasco, Chair of our SSC, to develop a Terms of Reference for this review and to put together a team of independent reviewers. Item D-1(c)(1) is a draft Terms of Reference to guide the review. The review would include a detailed description of the current harvest policy so that the various tiers of that harvest policy are clarified.

We propose including Dr. Terry Quinn from our SSC on this review team, as well as Dr. Grant Thompson from the Alaska Fisheries Science Center, because of their familiarity with the current harvest policies. In addition we would include 4 or 5 other reviewers, not directly affiliated with North Pacific fisheries. Given the existing commitments of the potential reviewers, it is not likely that such a review will be completed prior to the end of this summer. I have received tentative agreement from the following individuals to participate in this review: Dr. Marc Mangel, University of California Santa Cruz; Dr. Tony Smith, CSIRO, Australia; Dr. Dan Goodman, Montana State University; Dr. Graeme Parks, Marine Resource Assessment Group, Florida; Dr. Victor Restrepo, ICCAT; and Dr. Kevin Stokes, New Zealand.

Scientific Review of the Harvest Strategy Currently Used
In the BSAI and GOA Groundfish Fishery Management Plans

Terms of Reference

At its October 2001 meeting, the North Pacific Fishery Management Council passed a "final motion on Steller sea lions" (Council Newsletter, October 2001, Attachment 1). As part of this action, the Council moved "to seek an independent scientific review of the F40 harvest policy relative to national standards."

At its December 2001 meeting, the Scientific and Statistical Committee interpreted the subject of the review to be "the current groundfish harvesting strategy" and requested that terms of reference be developed, to include the following features: 1) a description of the issue, 2) the purpose of the review, and 3) a list of charges to be addressed. These features are provided sequentially below.

1) Description of the Issue

Harvests in the BSAI and GOA groundfish fisheries are governed by the respective fishery management plans (FMPs). Identification of an explicit "harvest strategy" in these FMPs is somewhat problematic. In a broad sense, the FMPs themselves *are* the harvest strategy. However, the FMPs allow for a wide range of possible harvests for any given stock in any given year, meaning that, in a narrower sense, the plans are consistent with a large number of particular harvest strategies. Of course, any harvest allowed by the FMPs is required to be consistent with the National Standards described in the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA). Of particular relevance in this regard is National Standard 1, which states, "Conservation and management measures shall prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery for the United States fishing industry" (Title III, Section 301(a)(1)). Optimum yield, in turn, is defined as follows (Section 3(28)):

The term "optimum", with respect to the yield from a fishery, means the amount of fish which—

- (A) will provide the greatest overall benefit to the Nation, particularly with respect to food production and recreational opportunities, and taking into account the protection of marine ecosystems;
- (B) is prescribed as such on the basis of the maximum sustainable yield from the fishery, as reduced by any relevant economic, social, or ecological factor; and
- (C) in the case of an overfished fishery, provides for rebuilding to a level consistent with producing the maximum sustainable yield in such fishery.

In recent months, concern has been expressed regarding the extent to which harvests allowed under the FMPs are consistent with protection of marine ecosystems, as required implicitly by National Standard 1.

2) Purpose of the Review

The motion requesting the independent scientific review identified its purpose as follows: "to determine whether changes need to be made to account for ecosystem needs."

3) Charges to be Addressed

The independent scientific review shall address the following:

- a) Define and explain the harvest strategy currently used in the management of the BSAI and GOA groundfish fisheries; i.e., develop an educational primer on our current procedure, and its relevance to overfishing levels.
- b) Is this approach appropriate from a single species perspective?
- c) Does this current harvest strategy account for ecosystem needs in the BSAI and GOA?
- d) If not, does the current harvest strategy need to be changed?

In addressing the above questions, the reviewers shall:

- a) use whatever scientific information or methodology is appropriate and practicable within the time allotted for the review;
- b) describe the role played by the $F_{40\%}$ reference point in their findings; and
- c) relate their findings to the MSFCMA's National Standards, particularly National Standard 1.